

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA**

UNITED STATES OF AMERICA	)	
	)	Case No. 1:20-CR-61
v.	)	
	)	Judge Collier/Steger
DAVID JEREL JENNINGS	)	

**ORDER**

United States Magistrate Judge Christopher H. Steger filed a report and recommendation recommending that the Court: (1) grant Defendant David Jerel Jennings’s motion to withdraw his not guilty plea to Counts One, Two, and Four of the four-count Indictment; (2) accept Defendant’s guilty plea to Counts One, Two, and Four of the four-count Indictment; (3) adjudicate Defendant guilty of Count One, conspiracy to distribute a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(C), and 846; (4) adjudicate Defendant guilty of Count Two, knowingly and intentionally distributing a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C); (5) adjudicate Defendant guilty of Count Four, knowingly and intentionally possessing with intent to distribute a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C); and (6) order that Defendant remain in custody until sentencing in this matter or further order of this Court. (Doc. 57.)

Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with the magistrate judge’s report and recommendation.

Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation (Doc. 57) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1. Defendant's motion to withdraw his not guilty plea to Counts One, Two, and Four of the four-count Indictment is **GRANTED**;
2. Defendant's plea of guilty to Counts One, Two, and Four of the four-count Indictment is **ACCEPTED**;
3. Defendant is hereby **ADJUDGED** guilty of Count One, conspiracy to distribute a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(C) and 846;
4. Defendant is hereby **ADJUDGED** guilty of Count Two, knowingly and intentionally distributing a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C);
5. Defendant is hereby **ADJUDGED** guilty of Count Four, knowingly and intentionally possessing with intent to distribute a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C);
6. A decision on whether to accept the amended plea agreement is **DEFERRED** until sentencing; and
7. Defendant **SHALL REMAIN** in custody until sentencing in this matter, which is scheduled to take place on **October 20, 2021, at 2:00 p.m.** before the undersigned, or until further order of this Court.

**SO ORDERED.**

**ENTER:**

/s/  
**CURTIS L. COLLIER**  
**UNITED STATES DISTRICT JUDGE**